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**REMARKS**

**PRESS CONFERENCE**

**"WINNING THE WAR ON DRUGS: THE ROLE OF WORKPLACE TESTING"**

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**A SOUND, WELL REASONED APPROACH TO WORKPLACE DRUG TESTING HAS BEEN OFFERED BY THE NATIONAL FOUNDATION FOR THE STUDY OF EMPLOYMENT POLICY IN A MONOGRAPH WHICH IT IS RELEASING TODAY, WINNING THE WAR ON DRUGS: THE ROLE OF WORKPLACE TESTING.**

**MOST AMERICANS, WHO SEE DRUG ABUSE AS CRIME ON THE STREETS DO NOT KNOW THAT AMONG CURRENT FULL-TIME EMPLOYED WORKERS BETWEEN THE AGES OF 20 AND 40, WORKPLACE DRUG ABUSE IS A PROBLEM. THE NATIONAL INSTITUTE FOR DRUG ABUSE (NIDA) RECENTLY REPORTED THAT AMONG WORKING 20-40 YEAR OLDS, 22% USED AN ILLEGAL DRUG WITHIN THE LAST YEAR, AND 12% WITHIN THE LAST MONTH.**

**NIDA EARLIER REPORTED THAT ON ANY GIVEN WORKING DAY, 14 - 25% OF THE WORKFORCE WOULD TEST POSITIVE FOR DRUG ABUSE.**

**A RECENT GALLUP SURVEY OF WORKERS REVEALED THAT ONE OUT OF FOUR RESPONDED THAT THEY HAD PERSONALLY SEEN OR HEARD OF ILLICIT ON-THE-JOB DRUG USE BY COWORKERS. THAT IS A FRIGHTENING STATISTIC. WHEN ASKED IN THE SAME GALLUP SURVEY WHETHER THEY THOUGHT DRUG TESTING WAS AN EFFECTIVE DETERRENT TO DRUG USE AMONG APPLICANTS AND EMPLOYEES, MORE THAN EIGHT OUT OF TEN OF THE WORKERS ANSWERED YES. 97% OF THE SURVEY RESPONDENTS SAID THAT WORKPLACE DRUG TESTING IS APPROPRIATE UNDER SOME CIRCUMSTANCES.**

**WITH THE EXCEPTION OF THE TRANSPORTATION, NUCLEAR POWER, AND DEFENSE INDUSTRIES, WHERE IT REQUIRES DRUG TESTING, THE FEDERAL GOVERNMENT HAS DONE LITTLE TO PROVIDE GUIDANCE AND LEGAL PROTECTION TO AMERICA'S BUSINESSES IN HELPING THEM TO ESTABLISH EFFECTIVE DRUG TESTING PROGRAMS, OTHER THAN TO DECLARE THAT TESTING SHOULD BE USED WHERE APPROPRIATE.**

**THE AMERICAN WORKPLACE IS A PROPER ARENA TO ADDRESS THE DRUG PROBLEM. BOTH EMPLOYERS AND EMPLOYEES RECOGNIZE THAT REASONABLE DRUG TESTING CAN DETER DRUG USE.**

**GALLUP, TIMES, AND WALL STREET JOURNAL POLLS ALL INDICATE 2 - 1 SUPPORT FOR TESTING AMONG WORKERS AS A PROPER TOOL TO FIGHT WORKPLACE DRUG ABUSE.**

**TODAY'S TESTING METHODS & TECHNOLOGY ENSURE RELIABILITY AND ACCURACY AND PROTECT INDIVIDUAL PRIVACY. CONFLICTING STATE & LOCAL LAWS AND A LACK OF COORDINATION AMONG THE VARIOUS FEDERAL PROGRAMS ARE FRUSTRATING EMPLOYER ATTEMPTS TO PUT INTO PLACE EFFECTIVE DRUG-FREE WORKPLACE PROGRAMS, DESPITE RECOGNITION BY THE ADMINISTRATION THAT THE WORKPLACE IS A FOCUS FOR PREVENTION OF DRUG USE.**

**THE PRESIDENT'S DRUG MESSAGE IN SEPTEMBER STATED THAT EMPLOYERS WILL BE ENCOURAGED TO PROVIDE CAREFUL**

**MEANS TO IDENTIFY EMPLOYEES WHO USE DRUGS, INCLUDING TESTING WHERE APPROPRIATE.**

**16 STATES (1/3 OF THE NATION) AND SEVERAL LOCALITIES HAVE ENACTED OR INTERPRETED LAWS WHICH REGULATE DRUG TESTING, MOST OF WHICH ARE RESTRICTIVE AND ALL OF WHICH ARE DIFFERENT.**

**AT FEDERAL LEVEL, THERE IS NO COORDINATION AMONG VARIOUS WORKPLACE PROGRAMS. DOT REGULATES PILOTS, TRUCK DRIVERS, AND TRAIN ENGINEERS. DOD REGULATES DEFENSE CONTRACTORS. ENERGY REGULATES NUCLEAR POWER PLANT OPERATORS. NONE OF THESE EFFORTS IS COORDINATED WITH THE OTHER, AND NONE LOOKS AT THE BIG PICTURE.**

**COURTS ALL OVER THE COUNTRY ARE SAYING "YES YOU CAN/NO YOU CAN'T" WITH RESPECT TO TESTING. WITH THIS MUCH UNCERTAINTY OUT THERE, MANY EMPLOYERS UNDERSTANDABLY ARE GOING TO BE RELUCTANT TO USE TESTING AS AN ANTI-DRUG TOOL.**

**LET ME DEAL WITH SOME OF THE CRITICISMS. FIRST, THE REASONABLENESS OF THE POLICY OF DRUG TESTING ITSELF. IT IS CONTROVERSIAL, CHIEFLY ON THE ISSUE OF PRIVACY. HOWEVER WHEN THE PRIVACY RIGHTS OF AN INDIVIDUAL THREATEN THE HEALTH AND SAFETY OF OTHERS, THOSE RIGHTS END. THE SUPREME COURT HAS SAID, ". . THE OPERATIONAL REALITIES OF THE WORK PLACE MAY RENDER ENTIRELY REASONABLE CERTAIN WORK RELATED INTRUSIONS. . ."**

**CURRENT SCIENTIFIC EVIDENCE DEMONSTRATES THAT MODERN DRUG TESTING TECHNOLOGY AND PROCEDURES ARE ACCURATE AND RELIABLE. FALSE POSITIVES ARE ESSENTIALLY ELIMINATED. THAT SHOULD TAKE CARE OF THE CRITICISM OF ACCURACY.**

**SOME CRITICS SAY THAT A POSITIVE TEST HAS NO PREDICTIVE VALUE IN REFERENCE TO JOB PERFORMANCE. THE JUDGEMENT AND REFLEXES OF AN AUTOMOBILE DRIVER CAN BE IMPAIRED BY ALCOHOL WITHOUT THAT DRIVER BEING DRUNK. SO IT IS WITH**

**DRUGS. IN ADDITION, THE DETERRENT EFFECT OF A DRUG TESTING PROGRAM HAS BEEN SHOWN TO REDUCE ON-THE-JOB USE OF DRUGS. SO, EVEN THE POSSIBILITY OF DRUG IMPAIRMENT IS REDUCED. EXISTING EMPLOYER ON-THE-JOB PROGRAMS EMPHASIZE SAFETY AND DRUG ABUSE TREATMENT AND REHABILITATION.**

**MANY OF THE CONSEQUENCES OF DRUG USE ON-THE-JOB ARE LESS VISIBLE THAN FATAL ACCIDENTS AFFECTING MANY PEOPLE.**

**FURTHER, MANY EMPLOYERS HAVE DISCOVERED THAT A DRUG TESTING PROGRAM CAN ENCOURAGE INDIVIDUALS WITH A PROBLEM TO COME FORWARD TO SEEK HELP. THAT IS WHY THE VAST MAJORITY OF EMPLOYERS WITH TESTING PROGRAMS ALSO MAKE AVAILABLE EMPLOYEE ASSISTANCE AND REHABILITATION PROGRAMS TO TREAT EMPLOYEES WHO DO HAVE A DRUG PROBLEM.**

**NIDA DATA ALSO PROFILES THE DRUG-ABUSING WORKER. HE OR SHE IS LATE FOR WORK THREE TIMES MORE OFTEN THAN A NON-**

**USER; ASKS FOR TIME OFF OR EARLY DEPARTURE MORE THAN TWICE AS OFTEN; HAS MORE FREQUENT AND LONGER ABSENCES FROM WORK; USES THREE TIMES THE AVERAGE LEVEL OF SICK BENEFITS; IS FIVE TIMES MORE LIKELY TO FILE A WORKERS' COMPENSATION CLAIM; AND IS THREE AND ONE-HALF TIMES MORE LIKELY TO BE INVOLVED IN AN ACCIDENT WHILE ON THE JOB. THE U.S. POSTAL SERVICE, WHICH RECENTLY CONDUCTED A MAJOR STUDY ON DRUG-ABUSING JOB APPLICANTS, FOUND THAT THEY HAD A 43 PERCENT GREATER CHANCE OF BEING ABSENT FROM WORK THAN THEIR NON-USING COUNTERPARTS.**

**EVIDENCE IS ALSO PRESENTED THAT DRUG-FREE WORKPLACE PROGRAMS, INCLUDING THOSE THAT CONTAIN A DRUG TESTING COMPONENT, ARE NOT NECESSARILY A UNION VERSUS MANAGEMENT ISSUE. EXAMPLES OF JOINTLY BARGAINED PROGRAMS ARE DISCUSSED, MANY OF WHICH CONTAIN THE BASIC ELEMENTS THE MONOGRAPH RECOMMENDS IN ESTABLISHING MINIMUM FEDERAL STANDARDS. IT IS INCREASINGLY APPARENT THAT RANK AND FILE UNION MEMBERS UNDERSTAND THAT A BALANCED WORKPLACE DRUG**



**TESTING PROGRAM CAN MAKE THEIR OWN JOBS SAFER BY  
DETERRING DRUG USE AMONG FELLOW EMPLOYEES.**

**ONE THING THAT HAS ENCOURAGED ME OVER THE LAST FEW  
YEARS IS THE INCREASING AWARENESS AMONG BOTH WORKERS  
AND COMPANIES ABOUT THE BENEFICIAL EFFECTS OF  
CORPORATE "WELLNESS" PROGRAMS. FOLKS THAT HAVE  
PARTICIPATED IN THESE PROGRAMS TELL ME THAT THEY FEEL  
BETTER, THEY LIKE THEIR JOBS BETTER, AND THAT THEY  
BELIEVE THEY ARE MORE PRODUCTIVE WORKERS. EMPLOYERS  
REPORT HIGHER MORALE AMONG WORKERS.**

**RIGHT NOW THERE ARE ALMOST 118 MILLION AMERICANS  
WORKING ON A FULL-OR PART-TIME BASIS. THAT IS A  
SUBSTANTIAL PORTION OF THE U.S. POPULATION. MORE THAN  
EIGHT OUT OF TEN, ACCORDING TO GALLUP, BELIEVE THAT  
DRUG TESTING IS A DETERRENT TO DRUG USE. IF THE MESSAGE  
GOES OUT TO THOSE WITHIN THAT GROUP THAT ARE STILL  
USING DRUGS THAT THEIR EMPLOYERS OR POTENTIAL  
EMPLOYERS WILL NOT EMPLOY CURRENT DRUG USERS, MAYBE**

**WE CAN PUT A DENT IN THE NATIONAL DRUG ABUSE PROBLEM.  
BETTER YET, WE WILL TAKE ANOTHER STEP TO ACHIEVING A  
HEALTHIER, SAFER WORKPLACE.**